

REMARKS

On page 2 of the final Action, claims 1, 2, 4 and 6 were rejected under 35 U.S.C. 102(e) as being anticipated by Koga et al. On page 3 of the Action, claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Koga in view of Katsuda et al.

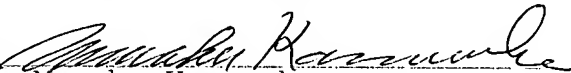
Koga et al., which had been filed on May 19, 2000 as a provisional application, was patented on September 30, 2003, and assigned to Takata Corporation in Japan. On the other hand, the present application was filed on March 7, 2002 and was assigned to Takata Corporation in Japan. Namely, the present application and Koga et al. were assigned to the same company. Therefore, Koga et al. can be cited under 35 U.S.C. 102(e) to the present application, but Koga et al. can not be cited under 35 U.S.C. 103(a) because of 35 U.S.C. 103(c).

In this situation, claim 7 has been cancelled, and the subject matter of claim 7 has been incorporated into claim 1. Also, claims 2 and 4 have been amended. Namely, the invention has been changed to the airbag device from the gas generator.

Please withdraw the rejection under 35 U.S.C. 103(a), and allow the application.

Reconsideration and allowance are earnestly solicited.

Respectfully submitted,  
KANESAKA AND TAKEUCHI

by   
Manabu Kanésaka  
Reg. No. 31,467  
Agent for Applicants

1423 Powhatan Street  
Alexandria, VA 22314  
(703) 519-9785